

# **CALFRESH (CF) PROGRAM** **REQUEST FOR POLICY/REGULATION INTERPRETATION**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 07/18/12 NEED RESPONSE BY:
2. REQUESTOR NAME: Columba Atienza	6. COUNTY/ORGANIZATION: Santa Clara County Social Services
3. PHONE NO.: 408-755-7521	7. SUBJECT: NACARA (Federal vs. CFAP)
4. REGULATION CITE(S):	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  ACIN I-102-10  (Additional references: ACIN I-65-11)
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):	

Legal non citizen under NACARA must met an additional condition to be eligible for federal CalFresh. A ticket was sent to the project for a NACARA case not meeting an additional condition that is passing in CalWIN as Federal instead of CFAP. The project resolution in this issue came as a FAD.

Could you help with clarifications on this issue?

## 10. REQUESTOR'S PROPOSED ANSWER:

Per ACIN I-102-10, legal non citizens under NACARA must meet an additional condition (disability, 40 quarters, child under 18, 5 year residency, etc) to be eligible for federal benefits.

## 11. STATE POLICY RESPONSE (CFPB USE ONLY):

The proposed answer is correct. In accordance with MPP 63-300.5 (e)(2), noncitizen documentation and status must be verified through the Systematic Alien Verification for Entitlements (SAVE). Additionally, legal permanent residents must be qualified and eligible to receive federal benefits. If an individual meets a category in MPP 63-405.11 (qualified noncitizen), then another condition must be met per MPP 63-405.12.

MPP 63-405.11 defines what a qualified noncitizen is and MPP 63-405.12 defines the eligibility criteria for participation in the federal SNAP program. Noncitizens are eligible indefinitely, provided they are one of the following: lawfully admitted to the US and credited with 40 qualifying quarters of coverage; an active member or an honorable discharge of the US armed forces (including their spouses, or unmarried dependent child, or unmarried surviving spouse of a deceased veteran; under age 18; disabled or blind; lawfully in the US and 65 or older on August 22, 1996; or lawfully resided in the US for five years beginning on the date of entry.

## FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ:

